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THE NEGOTIABLE INSTRUMENTS LAW. The full text of the law as enacted, with copious annotations. By John J. Crawford. Second edition. New York: Baker, Voorhis & Co. 1902. pp. xxxiv, 173. 8vo.

The second edition of Mr. Crawford's book follows closely upon the first edition of 1897, and, although only six decisions upon the Uniform Act have been handed down since that date, the author finds his excuse for a new edition in the needs of the lawyers of the fourteen states which have in the mean time adopted the Code. He devotes himself in this second edition to the task of making the work of local value in those states. His purpose is to point out changes made in the existing law by the Act and to give citations from the different jurisdictions. He does not, however, seem to be uniformly successful. Several instances can be found where marked changes in the existing law are not clearly pointed out, as where, for example, on page 64, in the section on irregular indorsers, the Massachusetts decisions are not included in the list of those which hold that an anomalous indorser is liable as a joint maker. Again the citation of authorities is often noticeably incomplete. The omissions are doubtless due to a desire for brevity, but they decrease the book's value to the practising lawyer who seeks a guide to the leading decisions in his state.

In this second edition, with its wider aim, there seems little excuse for retaining the peculiar, meaningless section numbering adopted in New York. There is a substantial uniformity among the states in this matter, but, as appears from the author's footnotes, none have adopted the New York system. The Index shows no improvement and is inadequate to the needs of those who use the book as a reference manual.

A TREATISE ON THE LAW OF FRAUD AND MISTAKE. By William Williamson Kerr. Third edition by Sydney E. Williams. London: Sweet & Maxwell, Limited. 1902. pp. lxxv, 557. 8vo.

Since the appearance of the second edition of this book in 1883, the law relating to fraud and mistake has undergone substantial development, and this further revision of a standard work cannot fail to be received with interest. Like the preceding edition it deals exclusively with the English law, no American cases being cited. The present volume is of about the same dimensions as the earlier; a considerable amount of new matter has been added and much that was obsolete has been wisely omitted, leaving a text forty pages shorter than that of 1883. The topical arrangement of the earlier work is retained with slight alterations and to a great extent the original form of statement is preserved.

The most extensive changes are found in the chapter on Misrepresentation and Concealment, necessitated principally by the important decision in *Derry v. Peek*, 14 A. C. 337, holding that negligent misrepresentation as distinguished from fraudulent misrepresentation will not ground an action of deceit. Unfortunately here where most is hoped for, the work seems most deficient. While Mr. Williams may be quite right in attacking the doctrine of *Derry v. Peek*, the question is but little clarified by a treatment consisting largely of the comments of judges and presenting only a brief and unanalytical statement of the editor's own views. That the House of Lords may have been wrong in its interpretation of the facts Mr. Williams does not even intimate; and yet writers of no less authority than Sir Frederick Pollock and Sir William R. Anson agree in so thinking. 5 L. Quart. Rev. 410, 422; 6 L. Quart. Rev. 72, 73. Again, in attempting to reconcile *Derry v. Peek* with certain earlier cases which are generally regarded as having been overruled by it, the editor's argument is far from convincing.

A similar want of close analysis and correct appreciation is detected in other parts of the volume, as where the subject of the conditional revocation of wills is disposed of in a single paragraph; and where sanction is given to the questionable distinction taken by the English cases between an equity and an equi-

table estate. The important case of *Dodds v. Hills* is dismissed with a single sentence. Mr. Williams cites it as a case where an equitable mortgagee of shares of stock subject to a trust was allowed to prevail over the *cestui's* prior equity although the mortgagee received notice of the trust before the transfer was registered on the books of the company; he fails to appreciate what seems to have been the true ground of decision, namely, that to secure registration no further act of the fraudulent trustee was necessary.

The style of the work is generally clear and succinct. One finds, however, an occasional awkward sentence, as "the expression 'legal fraud' has often been taken exception to;" or "which the defendant knows to be untrue or is indifferent as to its truth."

But whatever may be the deficiencies occasionally noted, the book as a whole is not without clear merit. Numerous cases have been added to the citations and the index has been revised and enlarged. The value of the work as a book of reference will be permanent.

ESSAYS IN LEGAL ETHICS. By George W. Warvelle. Chicago: Callaghan & Co. 1902. pp. xiii, 234. 12mo.

This book is made up of a series of lectures given by the author to his classes in the Chicago Law School. It has the faults common to most books on the subject, being chiefly an enumeration of the rules of conduct ordinarily recognized and followed by the better class of lawyers, with very little that is illuminating or satisfactory in the way of comment or explanation. So far as these rules are based on the more or less artificial but generally admirable standard of professional dignity, which lawyers themselves have by long precedent established, even a bare enumeration is instructive to the student. Moreover, most of the situations presenting problems of professional conduct which recur frequently in the experience of practitioners are treated, so that a perusal of the book at least calls these situations to the mind of the reader, and if he be at once thoughtful and inexperienced the reading may lead to some helpful meditation upon their moral aspects. Beyond this little can be said. No mere book of rules can solve the more difficult moral problems of the lawyer, and only a treatment of the underlying principles, at once scholarly, discerning, and sensible, could be in itself of great value in preparing the lawyer for the responsibilities of his profession. The present volume, even where there is an attempt to explain the basis of the rules, approaches this standard very remotely, supporting sound rules with reasoning often inconclusive and sometimes manifestly unsound. The style is generally clear and direct, but there is a lack of perspective and subordination, and the use of English is occasionally somewhat barbarous.

COMMENTARIES ON THE LAW OF NEGLIGENCE. By Seymour D. Thompson. In six volumes. Vol. III. pp. xl, viii, 1118. Indianapolis: The Bowen-Merrill Co. 1902. 8vo.

This third volume of Judge Thompson's work on Negligence, the first two volumes of which were reviewed in 15 HARV. L. REV. 327 (Dec., 1901), is concerned entirely with the negligence of Carriers of Passengers. It includes a complete revision of the author's previous work on Carriers of Passengers, which consisted of selected cases with extensive notes. The long discussion of the general subject of passenger carriers with which the volume opens, although it seems to run beyond the proper scope of a book on negligence, is nevertheless excellent. But the examination of particular subjects which follows is too detailed. The reader's mind is confused by the profusion of quotations and brief statements of cases, and is not relieved by the suggestion of any underlying principle. The book may be heartily recommended, however, to the practising lawyer who wishes to find a case having certain given facts, or to look up the latest decisions, of which a vast number are cited.